

February 2, 1976

SENATOR R. LEWIS: That's my question.

SENATOR SCHMIT: Well, of course, I can't answer for the Department of Agriculture, Senator Lewis. I think that there was enough doubt in my mind that they did have the authority that I felt that we could go ahead and enact LB 544. However, when I requested an opinion from Mr. Krutcher he stated we didn't need LB 544 anymore, that they had taken care of it by rule and regulation. Therefore, the decision had to be mine as to whether or not I thought Mr. Krutcher was adequately covered or whether we needed statutory authority. I felt that because of the huge losses we had suffered, because it was a matter of individual judgement as to whether or not the livestock sellers are protected, that this Legislature had the responsibility to do, by statute, what we had not done prior to that time and in order that there not be any doubt as to whether the Department of Agriculture should be in a position to cover those packers that are doing business with the livestock seller with adequate bonding. I think that if you would like to bracket the bill for a period of time we might get more definite answers. But you've asked a very simple question. If the authority was there in 1975 why wasn't it used prior to 1975? I have no answer for that.

SENATOR R. LEWIS: This is my question and this is my reason for wanting to bracket the bill. I renew my motion then for unanimous consent to bracket the bill.

PRESIDENT: You've heard the request. Is there an objection? Seeing none, it's so ordered.

CLERK: Mr. President, LB 299 was returned by Senator Kennedy, this morning, from Final Reading to Select File. There are specific amendments pending, they're found on page 251 of the Legislative Journal.

PRESIDENT: Take up the first one, Mr. Clerk.

CLERK: It's found.... There's one, Mr. President, it's found on page 251 of the Journal, signed by Senator Kennedy.

PRESIDENT: Senator Kennedy.

SENATOR KENNEDY: Mr. President, fellow members. Again very simple.... I'd like to strike the Committee amendments. On page 2, line 7 strike "his" and insert "such". On line 12 strike "his" and insert "such directors". Line 13 strike "he" and insert "the director". This would certainly give an opportunity that the director might be either a man or a woman so that we don't have the problem that Senator Shirley Marsh brought up. I would ask at this point that this amendment be adopted. Any question, I certainly would try to answer. I think we've discussed this bill at length. At this time I would request that we adopt this amendment.

PRESIDENT: Senator Barnett.